

Manheim Township Zoning Hearing Board Minutes
Monday, July 1, 2013
6:30 P.M.

Attendance:

Helen Adams	Absent
Patrick Trimble	Present
David Wood	Present
Edward Hoover	Present
Gregory Strausser	Present
Jennifer Luciani	Present

Chairman David Wood called the Zoning Hearing Board meeting to order, by explaining the Zoning Hearing Board meeting process and announcing the agenda.

Dale L. Landis Credit Shelter Trust Helen Landis
1099 Fruitville Pike, R-1 zoning district

Case 13-24

David B. Kegerize was sworn in for testimony.

Matthew Crème, applicant's attorney, distributed revised site plans showing the correct front yard setback of Fruitville Pike and explained the request for a variance to permit the existing structure to encroach within the front yard building setback. The reason for the variance is because a housing development is being planned for this property requiring a subdivision plan.

Referencing the site plans Mr. Kegerize described the property and location. He explained that the existing house is currently 10 foot from the Fruitville Pike street right of way. Due to the required expansion of the Fruitville Pike street right of way the house will vary 2.1 – 2.8 feet from the new street right of way.

It was discovered during testimony that the garage also encroaches within the 40 foot front yard building setback. Mr. Crème amended the request to include a variance to permit the existing garage to encroach within the front yard building setback. Mr. Strausser moved to permit the amendment for a variance of zoning ordinance section 2102.8 to permit the existing garage to encroach within the front yard building setback. Mr. Hoover seconded the motion. The motion was approved 5-0.

Neighbors of this property voiced concerns of the future housing development and requested details of the proposed development. There was a discussion about the future housing development.

Mr. Strausser moved to approve a variance of Zoning Ordinance section # 705.2.B.3.d.i. and Code of Manheim Township Section #510-24.B.2.c.4.a. to permit a decrease in the required front yard setback. Mr. Hoover seconded the motion. The motion was approved 4-0 with Mrs. Luciani abstaining.

Zoning Hearing Board Minutes

July 1, 2013

Page 2

James Parrish

1800 Santa Barbara Drive, R-2 Residential

Case 13-25

James Parrish, Audrey Parrish Jennifer Braas, Bart Buckwalter, Walter Otto, Carl Ernst and James Crist, were sworn in for testimony.

Mr. and Mrs. Parrish explained the request to permit a special exception to operate a family major daycare center for 3 to 6 children. It was revealed that Mrs. Parrish is currently operating a daycare for children of friends of Lancaster General Hospital employees. This Zoning Hearing Board request was the result of a complaint.

There was discussion regarding the permitted square footage and the location of the daycare within the dwelling and the hours of operation.

There was a discussion regarding the Pennsylvania regulations for daycares. Ms. Parrish stated that Pennsylvania does not regulate daycare under 12 children.

Neighbors of this property voiced concerns of the proposed daycare regarding noise of the children outside, safety of the children due to an insufficient fence in the yard, fire concerns and not wanting the daycare in the neighborhood.

There were discussions regarding the existing fence, hours of operation, and the neighbor's concerns.

Mr. Trimble moved to approve a special exception of Zoning Ordinance section 2110.4.M.7 and Code of Manheim Township section 510-166.D.13.g. to permit a major family daycare center with the following conditions: the hours of operation will be Monday through Friday from 6:00AM to 5:00PM; there will be no more than six (6) children at any time during those hours; there will be no sign placed in the yard; area for the daycare within the home will be limited to the shaded areas on the floor plans provided with the application, family room and upstairs bedroom, approximately 400 square feet; any pickup and drop off of the children coming or going must be in the driveway and not in the street; the rear yard will be properly fenced so that the children can be secure there when they are outside playing; must comply with any or all Pennsylvania state regulations which are covered; and as per the testimony presented here this evening. Mr. Strausser seconded the motion. The motion was approved 5-0.

The meeting was adjourned at 8:30PM. The next regularly scheduled meeting will be held on Monday, August 5, 2013 at 6:30 P.M.